

HISTORIC PRESERVATION COMMISSION

HEARING MINUTES

SEPTEMBER 23, 2010

Commissioners

Scott Winnette, Chairman

Robert Jones, Vice Chairman

Timothy Wesolek

Joshua Russin

Gary Baker

Shawn Burns

Brian Dylus, Alternate

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Aldermanic Representative

Michael O'Connor

Staff

Emily Paulus, Historic Preservation Planner

Lisa Mroszczyk, Historic Preservation Planner

Scott Waxter, Assistant City Attorney

Nick Colonna, Division Manager of Comprehensive Planning (not present)

Shannon Albaugh, HPC Administrative Assistant

•I. Call to Order

Mr. Winnette called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case.

All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

Announcements

Mr. Dylus announced that he would need to recuse himself from case number HPC10-166 at 112 W. Church Street.

Mr. Russin announced he would need to recuse himself from case number HPC10-323 at 229 W. South Street.

II. Approval of Minutes

1. September 9, 2010 Hearing / Workshop Minutes

Motion: Gary Baker moved to approve the September 9, 2010 hearing and the September 9, 2010 workshop minutes as written.

Second: Josh Russin

Vote: 7 - 0

- **II. HPC Business**

2. Election of Officers

Chairman

Motion: Robert Jones nominated Scott Winnette as Chairman of the Historic Preservation Commission.

Second: Josh Russin

Vote: 7 - 0

Vice Chairman

Motion: Josh Russin nominated Robert Jones as Vice Chairman of the Historic Preservation Commission.

Second: Shawn Burns

Vote: 7 - 0

3. Historic Sign Survey

Discussion

Ms. Mroszczyk stated that this was another opportunity to submit any comments and they will be moving forward with presenting this at a Mayor and Board of Aldermen workshop some time within the next month or two. Mr. Dylus asked if there would be a publication date on the survey once it is issued. Ms. Mroszczyk answered that when the final draft is prepared a publication date will be on it. Mr. Baker asked what the intent of the sign survey was. Ms. Mroszczyk answered that it is an informational and educational document. Mr. Baker stated that there was a sign missing from the report and it is the corner stone on the bank on S. Market Street related to J.A. Dempwolf.

IV. Consent Items

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4. HPC10-338 103 W. 3rd Street James Merry

Applicant requests continuance until the October 14th hearing

Emily Paulus

Motion: Timothy Wesolek moved to continue the case until the October 14, 2010 hearing.

Second: Shawn Burns

Vote: 7 - 0

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•V. **Cases to be Heard**

**5. HPC10-345
Kuranda**

107 E. 3rd Street

Kathryn

Replace door and siding on rear addition

Lisa Mroszczyk

Staff Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the following rehabilitation work:

- Replacement of Masonite siding on a c. 1985 rear addition with smooth HardiePlank lap siding with a 4" exposure.
- Replacement of existing clad wood double French doors and sidelights on a c. 1985 rear addition in-kind with clad Pella Hinged Patio Double door with Double Sidelights.

Applicant Presentation

Kate Kuranda, owner of 107 E. 3rd Street, concurred with the staff report.

Commission Discussion Questioning

Mr. Winnette announced that he had read an e-mail from the applicant to staff encouraging the clad because of water issues. Ms. Kuranda stated that the doors are a little bit lower than the surrounding yards and they are the last in the terrace so when there is moderate to severe rain, despite the guttering, there is a lot of splash back. She thought that contemporary unclad doors would not hold up very well.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends approval of the application as submitted based on the following:

- The work will take place on a non-contributing addition that is not visible from the street or any public right-of-way;
- The existing doors and windows on the addition are clad;
- The clad doors do not attempt to replicate historic or traditional details;
- The integrity of the streetscape will not be compromised;
- The integrity of any surrounding historic properties will not be compromised; and
- The design integrity of the resource itself will be not compromised.

Materials to be approved:

- Continuation Page (written scope of work) dated September 1, 2010
- Photograph showing door and sidelight to be replaced in-kind
- Product information for Pella doors and sidelights (2 sheets)
- Product information for HardiePlank lap siding

Motion: **Brian Dylus moved to approve the application as recommended by staff.**

Second: **Gary Baker**

Vote: **7 - 0**

Construct three story rear addition
agent

John Williams,

Emily Paulus

Staff Presentation

Ms. Paulus entered the entire staff report into the record and stated that the applicant is seeking approval to replace a two-story wing on the rear of a three-story, mid-19th century contributing commercial building with a three-story addition that would measure approximately 99' by 36'. Wall materials would include HardiePlank fiber cement lap siding at the lower middle section and Cushwa sand moulded brick at the taller rear section of the addition. Other materials proposed include Pella Architect Series wood windows, Pella Architect Series wood doors, concrete flooring and painted steel posts and railings at the porches, and a standing seam metal roof. A Hope's steel storefront system would be installed at the first floor in front of the historic wing's west elevation. The addition would not be readily visible from a public street.

The applicant has made some design changes in going through the workshop process, including preserving more of the existing rear wing's west elevation, lowering the roofline at the new construction above the wing, and introducing a flat roof at the rear-most section of the addition. More recently, in response to comments made at the August 12th workshop, the applicant has done the following:

- Changed the window configuration from 6/6 to 1/1
- Introduced windows along the east elevation
- Dropped the roofline slightly at the rear-most portion of the addition by lowering the floor to ceiling height from 9' to 8'

In addition, the rooftop A/C units are shown on the elevation drawings and a section thru Carroll Street showing the relationship to the adjacent buildings has been included.

Applicant Presentation

John Williams, architect for the application, stated that he would still like to see the metal because they have eliminated any design elements in the metal and the Hope's windows which is compatible with the warehouse. He stated he wanted to get the metal balconies and concrete decks for maintenance issues but if they felt strongly about the wood balconies he would change to that. He added that they lowered the real profile of the addition by 7 feet with getting rid of the pitched roof and he thought they worked hard on getting the profile as low as they can.

Commission Discussion Questioning

Mr. Winnette asked if the applicant was okay with a potential color change for the brick. Mr. Williams answered that he had no problem with that. Mr. Winnette asked if he was open to alterations on the light fixtures. Mr. Williams answered yes. Mr. Winnette stated that they could go with the staff report if the Commission is in agreement and that could be finalized with staff.

Mr. Dylus asked if the concrete on the exterior porches extend into the units. Mr. Williams answered no that it would stop at the doors.

Mr. Baker asked how many units there were. Mr. Williams answered eight. Mr. Baker asked where the remaining A/C units were going to go to support all the units. Mr. Williams answered that he would work with staff on that to make them invisible from public view.

Mr. Baker asked if the building would be a story and half higher than the surrounding buildings. Mr. Williams answered no because most of the surrounding buildings are three stories high.

Mr. Dylus asked staff if the hardware and profile for the windows complied. Ms. Paulus answered yes but staff would want to verify the finish at the building permit stage.

Mr. Winnette stated that he was very appreciative of the staff report but he could see where Mr. Williams was coming from with regards to the concrete flooring and the metal features of the porches but he agreed with staff in that they are obligated to pursue the Guidelines to the best of their ability.

Mr. Winnette asked the Commission if there were any concerns about deferring the light fixtures and brick color to staff. There were no concerns about that.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends approval of the proposed three-story rear addition, with the following conditions:

- That the porch elements -- including the flooring, posts, and railings -- be wood. The applicant should submit revised porch details to staff for final approval prior to product purchase and installation.
- That the final brick selection be appropriately offset from the existing masonry wall to be preserved. The applicant should submit revised brick and mortar selection to staff for final approval prior to product purchase and installation.
- Submission of a more compatible light fixture style and finish to staff for final approval prior to product purchase and installation.
- That the rooftop A/C units not be visible from either Patrick or Carroll Streets.

Materials to be approved:

- Drawings A1.1, A1.2, A3.1, A4.1, dated 9/13/10
- Pella Architect Series Wood Exterior Out-Swing French Doors

- Pella Architect Series Wood Exterior LX Double-Hung Windows with brickmould trim
- Hope's University Series Steel Windows
- HardiePlank Lap Siding in smooth finish
- Standing seam metal roof

Motion: **Brian Dylus moved to approve the application as proposed by staff with the following conditions:**

- **The applicant use the extruded red brick with "the redder the better"**
- **Any exposed hardware will be subject to staff approval; and**
- **The location of the A/C units on the roof be confirmed during the permitting process and by site visit once they are installed to confirm that they do comply**

Second: **Gary Baker**

Vote: **7 - 0**

7. HPC10-166

112 W. Church Street

John Laughlin

Landscaping in rear yard

Emily Paulus

Staff Presentation

Ms. Paulus entered the entire staff report into the record and stated that this application involves the replacement plan for the proposed demolitions contained in application HPC #10-165. The applicant is proposing the following:

- 1. Installation of planting beds in the location of the former shed foundations;
- 2. Installation of a 3-4' wide planting bed in the location of the former fence, to separate the parking from the new garden area. The applicant has eliminated the original proposal to fill this space with a low herb garden in favor of a

flower bed lined with evergreens. Following the August 11th workshop, the applicant increased the number of evergreens from six to eight and added eight shrubs in between.

- 3. Filling in the swimming pool with gravel and installing a planting bed in its location. The brick paving surrounding the pool would be left intact.

Applicant Presentation

John Laughlin, the applicant, agreed with the staff recommendation and after the workshop they resized the bushes so that it amounts to a continuous green fence. He said that the plantings are so sufficiently large that he did not think anyone would back over them with an automobile and the entire area between the parking and the other back yard is totally separated with plantings. There is no walk through space since they eliminated that as well.

Commission Questioning

Mr. Jones asked why the applicant did not address the Commission's idea of installing planters or hardscapes. Mr. Laughlin stated that both from a design view point and from a maintenance view point introducing random planters or boxes is not as attractive as just having trees and bushes. He went on to say that his success with planters has been poor and keeping things above the ground in a planter is a maintenance issue.

Mr. Winnette asked if he had determined the species of the bushes. Mr. Laughlin answered no that he thought that was the next step and the Commission could give staff any guidelines they wanted. He added that they wanted something tight so they would not be crushed by the snow and to keep them at about 7 to 8 feet tall.

Public Comment

Celia Pew, resident at 114 W. Church Street, encouraged the Commission to recommend that the plantings be some type of raised flowerbeds surrounded by brick that matches the ones surrounding the swimming pool. She thought a more detailed

landscape plan was needed instead of the applicant saying it would be this or that. She asked what control they have that in fact he is going to implement the plan that he will maintain it and they will not end up with cars eventually creeping over into the area.

Alex Metcalf, resident at 114 W. Church Street, stated that what the HPC has to remember is that this is about car parking and about bad behavior by individuals. He went on to say that he runs a small business in downtown and for this twelve employees he has only three car parking spaces while the rest have to park out on Baker Street. He stated that the Commission had heard the gentleman running the business in the property say that he had a number of employees and only half of them could have car parking so there is going to be tremendous pressure on this car parking space to effectively ensure that he will get the maximum number of cars in there. They had already seen photos that show them people are going to park their vehicles over any landscaping. He added that the Chairman did a horrible job at the last meeting by taking the four foot fence that was offered as a deal and turning it into a four foot hedge. He said that he lost a lot of fencing to the snow last winter and he was not making any decisions about his backyard until he sees the result of this because he assured the Commission that he would probably change his plan. He added that if you look at the back of W. Church Street you would see that there are three properties that are holding up the cultural garden environment and two of them are his property and his neighbor's back yard and the rest are already car parking. He said that he has not put a double garage in the back of his house because of the beautiful chestnut tree he would need to cut down before he could do that but if the Commission approves this then, he is going to come back with a plan that says he wants to have the same rights as his neighbor and wants the right to change the cultural environment of his backyard to be the same as his.

Applicant Rebuttal

Mr. Laughlin said that he was not sure how to follow that but he purchased six spaces in the downtown parking deck for the tenant in the Tyler's Spite house and that covers those employees that would try to park there. He added that it is a small business and he did not think they had any problems with cars and they are proposing to plant substantial bushes. He was sorry that the neighbor did not like this but he thought it was a reasonable way to separate the parking from the rest of the yard and he hoped the Commission would agree.

Commission Discussion

Mr. Baker stated that the fence was there for a reason and as the public has announced there are very few properties that still retain residential character defined backyards in this particular area. The Commission is in charge as stewards to make sure that the historic context is not compromised. He went on to say that the applicant has come in with out regard of any kind of context and he has destroyed value and destroyed something that the Commission has subsequently decided was a contributing resource. It is a built structure and has been there for years and it was doing a job that helped define our neighborhood as a residential historic context. He stated that planting a few little bushes is not going to replace a built structure. He added that the landscaping will be run over and snow is going to go over them and be pushed when snow removal occurs and the bushes will die.

Mr. Russin stated that his concern was if there would be enough space to plant eight 7 foot tall shrubs and they would be planted they probably would not stick around very long. Mr. Winnette commented that if a motion is moved to approve the landscaping they could ask that the species be finalized with staff and if it is impossible the applicant would need to come back.

Mr. Winnette asked staff which jurisdiction in City would have authority over parking. Ms. Paulus answered that it would probably be in between the Planning Department and the Engineering Department. If the number of cars parked at the property increased the Planning Department would look to see if it complied with the Land Management Code and any potential violation of that would be looked at by Code Enforcement in conjunction with the Planning Department. Alderman O'Connor asked, should the shrubs for whatever reason die or disappear, if vehicles would be permitted to park on the non-parking area of this backyard, is that permissible. Mr. Waxter answered that there are certain regulations that the City has about parking vehicles on grass and you can not park on any non-paved or impervious surface.

Mr. Wesolek stated that he agreed with Mr. Baker. The applicant tore down a structure, which he did illegally, and now he is going to put back plants. Since the Commission found the fence a contributing structure then he needs to put back a structure that is similar or something they can all agree upon in that space and 7 or 8 shrubs are not going to cut it.

Mr. Winnette stated that this had been a great compromise and it is a good compromise that provides a decent division in the rear of the property. In his opinion the landscaping is a greater division than the fence. Mr. Burns agreed with Mr. Winnette and thought the landscaping was a good option.

Mr. Jones understood Mr. Baker's point and he respected it. There are certain aspects of the historic fabric that they do need to keep so he was leaning towards other alternatives other than just putting vegetation in that spot.

Mr. Waxter reminded the Commission that it was their job to evaluate the project as it relates to the Guidelines and not to necessarily take into their consideration the intent of the property owner and what happened when the fence came down or what the story behind why the fence came down. It is not part of their job to evaluate his intent but rather to evaluate the project as it sits before them and whether or not that project is compliant with the current Guidelines.

Mr. Russin stated that the reason he seconded the motion was because the fence was not built during the period of significance and although it had an impact on the neighborhood and a visible presence, it did not go back long enough and a nice green fence more or less is a worthy substitute. They were able to come up with a solution that can work for the neighborhood and adds more green space to a City that is very crowded with historic structures and there is not a lot of green space.

Mr. Winnette reminded the Commission that this is not the first case that has come before the Commission where someone demolished something and they ended up resolving it creatively and they have not required that every impermissible demolition be resolved with a replacement in-kind. He thought a different standard was being put on this application. Ms. Paulus added that the goal should not be to punish the applicant but to be conformance with the Commission's Guidelines. Mr. Winnette stated that there has been no proof before the Commission that this particular fence has any extraordinary historic significance.

Mr. Laughlin suggested putting not a fence but a lattice or trellis and then put roses on those trellises because it is structural, tall and would have flowers on it. It would also match the garden structures that have already been approved. Alderman O'Conner asked if the trellises would be set in footers. Mr. Laughlin answered yes they would be a permanent structure.

Mr. Baker stated that the interpretation of what the applicant is suggesting needs to be in writing and a visual drawing needs to be submitted that they can all look at to decide because a 4x4 post is a lot different then the architectural column in the trellis that is currently there. He added that a continuance to give the applicant time to submit those materials should be given. Mr. Wesolek and Mr. Russin agreed.

Mr. Winnette asked the applicant if they would be willing to continue the case to the next scheduled hearing. Mr. Laughlin answered yes.

Staff Recommendation

Staff recommends that the Commission approve the following as in keeping with the *Guidelines*, which encourage greenspace in rear yards and other areas that are unpaved and devoid of buildings:

- Installation of planting beds in the location of the former shed foundations;
- Installation of a 3-4' wide planting bed in the location of the former fence, to include a flower bed lined with eight bushes set between eight evenly spaced evergreens.
- Filling in the swimming pool with gravel and installing a planting bed in its location. The brick paving surrounding the pool would be left intact.

Materials to be approved:

- Proposed site plan
- Photos showing location of proposed planting beds

- Photo mock-up submitted 8/23/10 showing new hedge row/planting bed at location of former fence

Motion: **Scott Winnette moved to continue the application until the next scheduled hearing on October 14, 2010**

Second: **Joshua Russin**

Vote: **6- 0**

8. HPC10-322

229 W. South Street

John Gaither

Demolish fire-damaged addition
agent

Olav Gjerde,

Lisa Mroszczyk

Staff Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant seeks approval to demolish a two story frame addition dating from the 1920s at the rear of a c. 1915 dwelling that was damaged by fire. The existing roof structure will remain and the first floor door and transom will be reused in the new addition (HPC10-323).

Applicant Presentation

Olav Gjerde, with The Cad Studio representing the applicant, agreed with the staff report and will do whatever he can to comply with the staff recommendation.

Commission Discussion Questioning

Mr. Dylus asked if it was physically possible to demolish the building and keep the roof. Mr. Gjerde answered yes that they would prop it up from below and hold it up in the air.

Mr. Winnette stated that he was in agreement with the staff report and had listened to the deliberations at the workshop.

Mr. Baker somewhat agreed but he thought that the component of the back porch is contributing in the function of what it served as but the fire has destroyed anything that was there.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends the Commission find the rear addition non-contributing to the significance of the historic district because it no longer has historical or architectural value and lacks integrity.

Staff also recommends the Commission approve the demolition of the addition, not including the roof and pending approval of a replacement plan, with the condition that the door and transom be retained for incorporation into the new addition and the required photographic documentation for non-contributing resources be submitted to the Planning Department prior to applying for a building permit.

Contributing or Non-Contributing

Motion: Timothy Wesolek moved to find that the rear addition be a non-contributing significant part of the historic district because it no longer has historical or architectural value and lacks integrity.

Second: Brian Dylus

Vote: 7 - 0

Demolition

Motion: Scott Winnette moved to approve the demolition of the addition, not including the roof and pending approval of a replacement plan, with the condition that the door and transom be retained for incorporation into the new addition and the required photographic documentation for non-contributing resources be submitted to the Planning Department prior to applying for a building permit.

Second: Gary Baker

Vote: 7 - 0

9. HPC10-323

229 W. South Street

John Gaither

Reconstruct addition and garage
agent

Olav Gjerde,

Lisa Mroszczyk

Staff Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that this application serves as the replacement plan for the proposed demolition of an existing two story frame addition at the rear of the property (HPC10-322). The new addition will incorporate the existing roof as well as the first floor door and transom. The footprint will approximate that of the existing addition. Proposed materials include wood lap siding and trim and Marvin Ultimate Double Hung 2/2 wood windows.

The applicant also seeks approval for the reconstruction of the garage that was destroyed by fire with a new garage of the same approximate footprint of the previous building. Proposed materials include:

- Wood lap siding and trim;
- Jeld-Wen 6/6 double hung aluminum clad windows;
- Jeld-Wen 9 Lite Steel Entry Door;
- Jeld-Wen 6-Panel Steel Entry Door;
- Clopay Raised Panel Steel Garage Doors;
- MetFab Snap-On 400 Metal Panel Roof ; and
- A raised foundation faced with brick salvaged on site along the alley and concrete block along the yard.

Applicant Presentation

Olav Gjerde, with The Cad Studio representing the applicant, agreed with the staff report. He did not think any of the recommendations from the staff report were unreasonable and he was willing to comply with that. He did ask if it would be possible to use a metal garage doors and he had no problem with changing it to three garage doors instead of a double and a single.

Commission Discussion Questioning

Mr. Baker asked how the applicant would be able to fit three garage doors in the structure. Mr. Gjerde answered he would make it happen. Mr. Baker stated that there is a 16 foot wide opening with 2 feet in between a 9 foot opening. Mr. Baker asked if he was going to reduce them to three eight foot doors. Mr. Gjerde answered that they would be willing to reduce them to three eight foot doors. Mr. Gjerde stated that one of the reasons they proposed a double door was because the applicant really did not want to use three eight foot doors but if that is what it takes then that is what it takes.

Mr. Baker agreed about the not embossing the metal doors if they do go with metal doors. He also thought the brick that was brought in at the bottom was a good idea.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends approval for the construction of a new rear addition that retains the existing roof and utilizes the existing door and transom according to the drawings numbered 4, 5 and 6 revised and dated September 11, 2010 with the condition that the windows be non-clad simulated divided lights with a non-metallic, dark colored spacer bar.

Staff recommends approved for the reconstruction of the garage according to the drawings numbered 1, 2 and 3, revised and dated September 12, 2010 with the following conditions:

- The garage door openings are revised from one double opening and a single opening to three individual openings as stated by the *Guidelines*.
- The garage doors and entry doors are constructed of wood.
- The window be either a 6/6 double hung non-clad wood window with simulated divided lights or a 1/1 metal clad wood window.
- That the product information for these materials be submitted for staff approval prior to applying for a building permit.

Motion: **Brian Dylus moved to approve the application in accordance with the staff recommendation with the condition that the garage doors be a metal door with no embossing.**

Second: **Timothy Wesolek**

Vote: **4 - 2, Gary Baker and Robert Jones opposed**

Reface existing awning & install window signage
Sachden, agent

Jaikishan

Emily Paulus

Staff Presentation

Ms. Paulus entered the entire staff report into the record and stated that the applicant is seeking post-construction approval for the following modifications to a late 19th century contributing commercial storefront:

- Re-facing of former Bombay Grill awning with black vinyl coating and new graphics;
- Re-facing of former Bombay Grill panel signs with black vinyl coating and/or paint and new graphics;
- Installation of new vinyl lettering to two storefront windows and front entry doors.

It should be noted that staff was unable to locate a record of HPC approval for the original Bombay Grill awning and panel signs; it appears they were likely installed without the proper approvals.

Applicant Presentation

Jay Sachden, the applicant, stated that he heard what staff said about the awning but the awning was already there and he did not do any construction. He just painted the awning. He went on to say that he called the City of Frederick and asked them if he could paint the awning black and they said that was fine as long as there was no construction. He stated that the awning had been there for years and he just painted it and put the lettering on it.

Commission Discussion Questioning

Ms. Paulus stated that in the Land Management Code the refacing of awnings in the Historic District requires approval.

Mr. Jones asked the applicant if they would be opposed to using the same infrastructure and possibly using a different kind of material to reface the awning. Mr. Sachden answered that if it is required he would do that. Mr. Jones thought that once the awning was painted it changed the whole dynamic of it as well as the streetscape.

Mr. Baker thought the graphics were very dynamic and very attractive in many ways but because of that it is outstanding in its field and it takes away from the historic context of the streetscape in that it is rather large and unique. He added that when you look at awnings, which the Guidelines try to promote as being representative of at least a historic context of the establishments on Market and Patrick, they do not have the large signage on the awnings. They may on the front and top and they may have it on the sides but it is not as big as what they have.

Mr. Winnette stated that under close inspection of the fabric he imagined that it may have once been canvas underneath. He added that he could see a weave although the awning had been overly painted. He went on to say that the layering of the old signage versus the new signage, while it may be sloppy, there is a lot of evidence through town of layered businesses being evident.

Mr. Wesolek asked Mr. Baker if the design would be okay if the applicant changed the graphics on the side of the awning to 10 inches. Mr. Baker answered that to him that would more compliant with the Guidelines

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends that the Commission deny the re-facing of the awning because it is inconsistent with the *Guidelines*, which discourage awnings with taut valences and fabrics that do not closely resemble canvas. In addition, the former lettering is still

visible underneath, which is inconsistent with the quality and appearance of other approved awnings in this Historic District.

Staff recommends that the Commission deny the re-facing of the panel signs because the former lettering is still visible underneath, which is inconsistent with the quality and appearance of other approved panel signs in this Historic District.

Staff recommends that the Commission approve the vinyl lettering installed on the two storefront windows and entry doors because they comply with the Commission's *Guidelines* in terms of size, scale, design, and placement.

Painting of the Awning

Motion: Brian Dylus moved to approve the existing awning painted black.

Second: Timothy Wesolek

Vote: 7 - 0

Graphics on the Awning

Motion: Scott Winnette moved to defer the approval of the lettering to staff with the response of the Commissioner's that the lettering on the side should be no larger than the number on the front and staff should do the calculations to ensure that all of the signage is within the Land Management Code Guidelines

Second: Gary Baker

Vote: 6 - 1, Shawn Burn opposed

Vinyl Lettering

Motion: Joshua Russin moved to approve the vinyl lettering installed in the two storefront windows and entry doors because they comply with the Commission Guidelines in terms of size, scale, design and placement and that these types of letters can be found on storefront windows throughout the district.

Second: Brian Dylus

Vote: 7 - 0

Panel Signs

Motion: Scott Winnette moved to approve the re-facing of the panel signs recognizing that the former lettering is beneath it but that there is evidence throughout the historic district of multiple businesses in sites.

Second: Timothy Wesolek

Vote: 7 - 0

**11. HPC10-342
Frederick**

101 N. Court Street

City of

Install wall mounted handrails at front entrance

Emily Paulus

Staff Presentation

Ms. Paulus entered the entire staff report into the record and stated that the applicant, the City of Frederick, is seeking approval to install two new handrails at the main entry to City Hall - a significant building in the Frederick Town Historic District. The proposed handrails would be affixed to the limestone interior walls of the inset

entryway only, providing assistance at the two upper-most steps to the building. The existing brass railing running along the center of the main staircase would remain.

The proposed handrails would be constructed of 1½ inch round powder-coated steel in a dark bronze finish (the applicant has provided staff with a sample, which will be shown at the hearing).

Applicant Presentation

Rick Weldon, with the City of Frederick, stated that this has been considered in previous years and they have held off. He did not feel it was appropriate to hold off any longer since they have had about six or seven requests from senior citizens that feel they are not handicapped and are not comfortable going around the side of the building to enter through the official handicapped entrance but are not as comfortable making the climb up the last two steps before the door without something to hold on to. He added that they had considered brass but they would have to substantial piece of brass handrail and far more then they would need.

Commission Discussion Questioning

Mr. Baker suggested using a molded iron handrail that would match the existing molded profile. He it would be a very contemporary detail added to a historic building. Mr. Winnette asked if that was an option the applicant would consider. Mr. Weldon answered no.

Mr. Russin stated that the new railing would delineate an addition and the City has a history of change and the ADA access issues were not ever addressed before. He added that this allows greater usability of the public space. He went on to say that it may not match what is out there but it is a new addition and does not create a false sense of history.

Mr. Winnette thought there were more attractive materials that could be used but there is a nice separation between existing railing and this railing.

Mr. Dylus stated that the proposed railing would be overlooked and become more of a secondary element.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends that the Commission approve the installation of two 1½ inch round powder-coated steel handrails in a dark bronze finish at the limestone interior walls of the inset entryway only, for the reasons state above.

Motion: **Brian Dylus moved to approve the staff recommendation of this case, 10-342.**

Second: **Gary Baker**

Vote: **7 - 0**

12. HPC10-344

434 N. Market Street

Stephen Kocan

Replace basement window, repair cornice and repoint

Lisa Mroszczyk

Staff Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant seeks approval of the following work:

1. Removal of an existing window on the south side of the building at the basement level and its replacement with a new, shorter fixed wood window. The brick sill would be raised approximately 4" and the jack arches would remain;
2. Repointing with a lime-based mortar to match the existing; and
3. Repair of the cornice in-kind or with a substitute material.

Applicant Presentation

Stephen Kocan, the applicant, agreed with the staff report and they just need to keep the water out of the basement, replace some missing brick and fix up a hole in on of the cornices.

Commission Discussion Questioning

Mr. Winnette asked if the applicant had the opportunity to have someone look at the cornice to see how it is attached and whether it is feasible to remove without damaging it. Mr. Kocan answered that in the original application they had asked for maybe alternative materials in case they could not remove it without damaging it. They could mold something in place and reproduce it with some other material but they have found any great sources for it. Mr. Winnette was concerned about it being damaged and then both cornices would be lost. Mr. Kocan stated that if they can not get it off without damaging it the Commission may hear about it again because he would not want to damage what is there.

Mr. Baker asked if they had searched the salvage yards for many of the components. Mr. Kocan answered that he hasn't but a previous contractor looked and they did not find anything. Mr. Baker stated that there are several in the area and they are usually very resourceful and just because it is not in the bin does not mean they do not know where something like that would be available.

Mr. Winnette stated that he was not opposed to the application as is but if they could find a salvaged piece then that serves the applicant as well as the building.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends the following:

- Approval to replace the basement window on the south wall with a new, shorter fixed wood (non-clad) custom Jeld-Wen window with a new brick rowlock sill raised approximately 4 inches and the existing jack arch remaining intact.
- Approval to repoint the areas specified in the Scope of Work with a lime-based mortar with the condition that the mortar match the original as closely as possible in terms of color, composition, texture and tooling and that only hand tools be used to remove deteriorated and loose mortar.
- Approval to remove the upper portion of the bracket at the southern edge of the cornice in order to produce a duplicate piece for the bracket on the north edge and reinstall the two pieces with the condition that the new piece is metal and the profile, dimension and finish of the existing or approval to install a salvaged piece that meets the same specifications.

Motion: Joshua Russin moved to approve replace the basement window on the south wall with a new, shorter fixed wood (non-clad) custom Jeld-Wen window with a new brick rowlock sill raised approximately 4 inches and the existing jack arch remaining intact, the repointing of the areas specified in the Scope of Work with a lime-based mortar with the condition that the mortar match the original as closely as possible in terms of color, composition, texture and tooling and that only hand tools be used to remove deteriorated and loose mortar, and remove the upper portion of the bracket at the southern edge of the cornice in order to produce a duplicate piece or allow the applicant to possibly repair the cornice with a salvaged bracket on the north edge and reinstall both pieces with the condition that the new piece is metal and the profile, dimension and finish of the existing pending staff review.

Second: Timothy Wesolek

Vote: 7 - 0

The meeting was adjourned at 8:51 PM.

Respectfully Submitted,

Shannon Albaugh

Administrative Assistant